



CITY COUNCIL

AGENDA REQUEST

AGENDA OF:	4/3/2007	AGENDA REQUEST NO:	V B
INITIATED BY:	LISA KOCICH-MEYER SENIOR PLANNER <i>Ken</i>	RESPONSIBLE DEPARTMENT:	PLANNING
PRESENTED BY:	LISA KOCICH-MEYER SENIOR PLANNER	DEPARTMENT HEAD:	SABINE SOMERS-KUENZEL, AICP DIRECTOR OF PLANNING <i>AK</i>
		ADDITIONAL DEPARTMENT. HEAD (S):	N/A

SUBJECT / PROCEEDING:	PERMANENT ZONING FROM INTERIM STANDARD SINGLE-FAMILY RESIDENTIAL TO STANDARD SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT FOR TELFAIR SECTION EIGHTEEN PUBLIC HEARING, FIRST READING OF ORDINANCE NO. 1609
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EXHIBITS:	VICINITY MAP, TELFAIR GENERAL PLAN, ORDINANCE NO. 1609, APPLICATION AND CORRESPONDENCE, PUBLIC HEARING NOTICE
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CLEARANCES	APPROVAL
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LEGAL:	MEREDITH WILGANOWSKI, <i>MW</i> ASSISTANT CITY ATTORNEY	EXECUTIVE DIRECTOR:	JIM CALLAWAY <i>Jim Callaway</i> COMMUNITY DEVELOPMENT
PURCHASING:	N/A	ASST. CITY MANAGER:	N/A
BUDGET:	N/A	CITY MANAGER:	ALLEN BOGARD <i>Allen Bogard</i>

BUDGET

EXPENDITURE REQUIRED: \$	N/A
AMOUNT BUDGETED/REALLOCATION: \$	N/A
ADDITIONAL APPROPRIATION: \$	N/A

RECOMMENDED ACTION

The Planning and Zoning Commission unanimously recommended approval of permanent R-1 zoning for Telfair Section Eighteen.

EXECUTIVE SUMMARY

This is a request to permanently zone the Telfair Section Eighteen area, consisting of 47.079 acres, from interim Standard Single-Family Residential (R-1) to permanent Standard Single-Family Residential (R-1). The property is located directly north of Telfair Section 11 and west of Section 17 and Ditch H. The Telfair property was annexed by the City under Ordinance No. 1431 on April 6, 2004 and was officially incorporated into the City on July 1, 2004. At that time interim R-1 zoning was applied to the 47.079 acres. Approval of this permanent zoning will place the property under the requirements of the standard City of Sugar Land R-1 district and all regulations contained therein. This request is in conformance with Telfair General Plan (Amendment No. 3), which was approved December 19, 2006 and is not in conflict with the City of Sugar Land Comprehensive Plan.

This rezoning request, if approved by City Council, would require this property to comply with all R-1 (Standard Single-Family Residential) regulations as contained in Chapter 2 of the City of Sugar Land Development Code. The total number of permanently zoned R-1 acres in Telfair to date is approximately 291 acres. If this zoning request were approved for Section 18, the total R-1 zoning acreage would be approximately 338. The acreage with the R-1 zoning district option-only remaining is approximately 153 acres. In addition, there are currently permanent R-1 zoning requests in process for various other sections of Telfair totaling approximately 157 acres. Of these pending requests, Section 17 is scheduled for a Public Hearing on the April 3, 2007 City Council agenda.

The Planning and Zoning Commission held a Public Hearing on this item at the February 13, 2007 meeting and took action on the request at the February 22, 2007 meeting. No one spoke at the hearing, and the Commission unanimously recommended approval of the permanent R-1 zoning request to Council. This item requires a Public Hearing at Council prior to any action.

File No. 7432

CC: Keith Behrens, Newland Communities kbehrens@newlandcommunities.com

EXHIBITS

DETAILED INFORMATION

GENERAL SITE INFORMATION AND ANALYSIS:

COMPREHENSIVE PLAN COMPLIANCE	This proposal is not in conflict with the City of Sugar Land Comprehensive Plan.
COMPLIANCE WITH GENERAL PLAN	Telfair General Plan Amendment No. 3 indicates R-1 zoning for this area
SUBJECT PROPERTY	Interim Standard Single Family Residential (R-1)
SURROUNDING PROPERTY	North: Interim Standard Single-Family Residential (R-1) South: Standard Single-Family Residential (R-1) East: Interim Standard Single-Family Residential (R-1) with Permanent R-1 pending approval West: Interim Standard Single-Family Residential (R-1)
SURROUNDING USES	North: Undeveloped South: Developed Single-Family Residential (Model Homes) East: Undeveloped West: Undeveloped

On November 16, 2004, City Council adopted the revised Land Use Plan portion of the City's Comprehensive Plan under Ordinance No. 1468. The Land Use Plan serves as a guide for recommendations of permanent zoning for annexed properties and rezoning of existing properties within the City. The 47.079 acres of Telfair Section 18 were intended for single-family residential development when the developer petitioned the City for annexation. This proposed land use is in accordance with the City's Land Use Plan, and the Telfair General Plan Amendment No. 3 (approved December 19, 2006).

If approved, the total amount of R-1 zoning in place in Telfair will be approximately 338 acres located in Telfair Sections 1, 2, 4, 5, 6, 7, 11, 12, 16, and 18. There is approximately 310 acres remaining within the Telfair community that has the option of future R-1 zoning including the acreage for the permanent zoning request for Section 17 also on the 4/3/2007 agenda for Public Hearing at City Council.

PUBLIC HEARING:

Notice of the Public Hearing was published in a newspaper of general circulation as required by state law. All property owners and potentially affected interests within 200 feet of the proposed

site, consisting only of Newland Communities, LJA Engineers, Beazer Homes Texas Inc., Darling Homes of Houston, Lennar Homes of Texas, Meritage Homes of Texas, Newmark Homes, Perry Homes, RH of Texas, and Weekly Homes in this case, were notified. Notice of the Public Hearing was posted on the City of Sugar Land's Internet home page. At the time of writing this report there has been one informational inquiry and no opposition.

Cc: Jason Kelly, P.E., LJA Engineering & Surveying, Inc.

Fax: (713) 953-5026

jkelly@LJAengineering.com

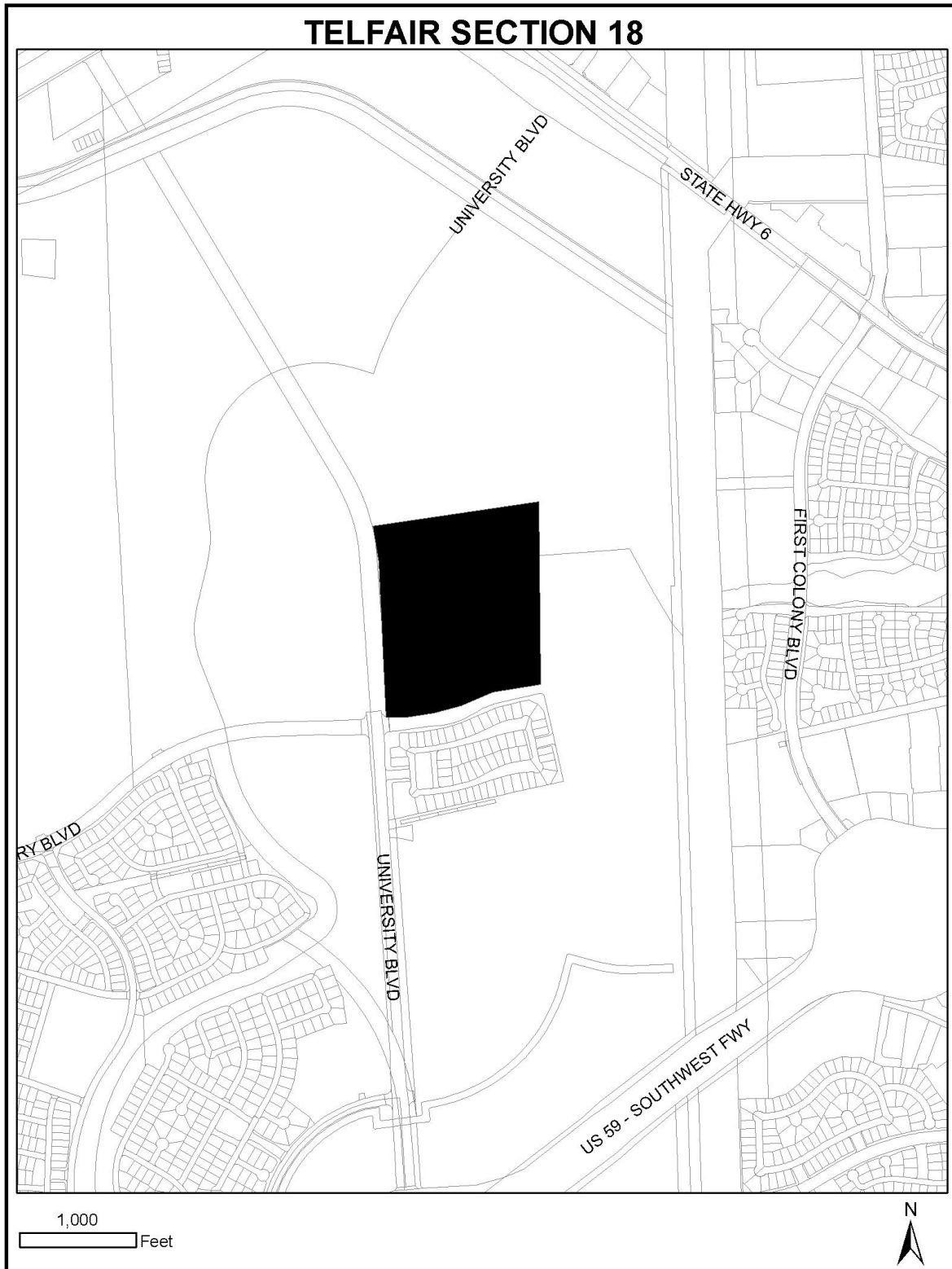
Keith Behrens, P.E., Newland Communities

Fax: (713) 575-9001

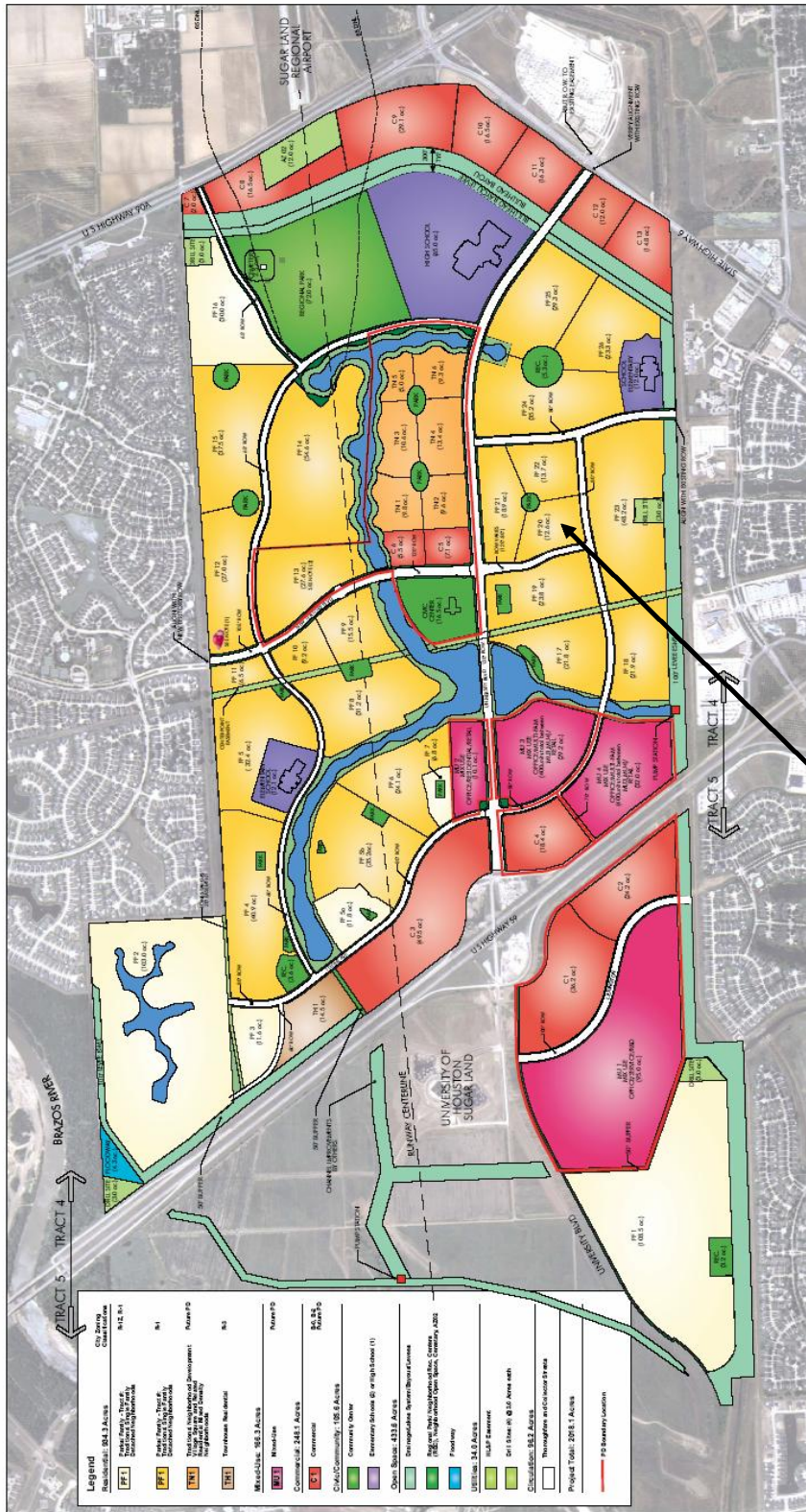
kbehrens@newlandcommunities.com

File No. P0007432

Vicinity Map:



Telfair Approved General Plan: Approved 2006



TELFAIR
LANDUSE PLAN AMENDMENT 3
OWNER: NEWLAND COMMUNITIES
10324 W LITTLE YORK, SUITE 260
HOUSTON, TEXAS 77040

DESIGN FIRM: TBG PARTNERS
ARCHITECTS AND PLANNERS
10000 W LITTLE YORK, SUITE 260
HOUSTON, TEXAS 77040
AUSTIN, TX 78746

Original Date: July 30, 2003
Revised Date: Nov. 07, 2005
Revised Date: Nov. 07, 2005
Revised Date: Nov. 07, 2005

VICINITY MAP

Section 18

GENERAL NOTES

(1) The Final Section 18 map is for informational purposes only and does not constitute a final map. The City of Sugar Land will not issue a final map until the City Council has approved the map.

(2) The City of Sugar Land will not issue a final map until the City Council has approved the map.

(3) The City of Sugar Land will not issue a final map until the City Council has approved the map.

ORDINANCE NO. 1609

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, PERMANENTLY ZONING THE 47.079 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF UNIVERSITY BOULEVARD AND NEW TERRITORY BOULEVARD AS ZONING DISTRICT R-1, STANDARD SINGLE-FAMILY RESIDENTIAL DISTRICT.

WHEREAS, NNP-Telfair, L.P. has requested that the 47.079 acres of land located at the northeast corner of the intersection of University Boulevard and New Territory Boulevard be permanently zoned as Zoning District R-1, Standard Single-Family Residential District, as described in Exhibit A; and

WHEREAS, the City Council has held a public hearing on the proposed permanent zoning for which notice was given as required by law; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF SUGAR LAND, TEXAS:**

Section 1. That the 47.079 acres of land, described in Exhibit A, attached to and incorporated into this ordinance by reference, is permanently zoned as Zoning District R-1, Standard Single-Family Residential District.

Section 2. That the City's official zoning map is amended to show the permanent zoning district classification.

READ IN FULL on first consideration on _____, 2007.

APPROVED upon second consideration on _____, 2007.

David G. Wallace, Mayor

ATTEST:

Glenda Gundermann, City Secretary

Reviewed for Legal Compliance:

Meredith Wilganski

Attachment: Exhibit A – Metes and Bounds Description

Metes and Bounds: Exhibit A

RECEIVED

JAN 02 2007

PLANNING

December 22, 2006
Job No. 1800-2018A

DESCRIPTION OF
47.079 ACRES
TELFAIR SECTION 18

Being 47.079 acres of land located in the Alexander Hodge League, Abstract 32, Fort Bend County, Texas, more particularly being a portion of the residue of a called 1651.239 acre tract conveyed to NNP-Keepsake, L.P., by instrument of record in File No. 2003149525, Official Public Records, of said Fort Bend County (F.B.C.O.P.R.), said NNP-Keepsake, L.P. now known as NNP-Telfair LP, by instrument of record in File No. 2006007940, F.B.C.O.P.R., said 47.079 acres being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, South Central Zone, NAD 83, 1993 adjustment);

BEGINNING at the most northerly northeast corner of University Boulevard (called 130 feet wide at this point) as shown on University Boulevard Phase One, a subdivision of record in Plat No. 20060062, Plat Records, of said Fort Bend County, from which the most northerly northwest corner of said University Boulevard (as shown on said plat) bears South 86° 01' 48" West, 130.00 feet;

Thence, North 03° 58' 12" West, 1164.67 feet to a point for corner, the beginning of a curve;

Thence, 49.71 feet along the arc of a tangent curve to the right, having a radius of 500.00 feet, a central angle of 05° 41' 48" and a chord which bears North 01° 07' 18" West, 49.69 feet to a point for corner;

Thence, North 01° 43' 36" East, 50.99 feet to a point for corner, the beginning of a curve;

Thence, 49.71 feet along the arc of a tangent curve to the left, having a radius of 500.00 feet, a central angle of 05° 41' 48" and a chord which bears North 01° 07' 18" West, 49.69 feet to a point for corner;

Metes and Bounds:

47.079 acres

December 22, 2006
Job No. 1800-2018A

Thence, North $03^{\circ} 58' 12''$ West, 172.55 feet to a point for corner, the beginning of a curve;

Thence, 79.17 feet along the arc of a tangent curve to the right, having a radius of 50.00 feet, a central angle of $90^{\circ} 43' 39''$ and a chord which bears North $41^{\circ} 23' 37''$ East, 71.16 feet to a point for corner;

Thence, North $86^{\circ} 45' 27''$ East, 891.27 feet to a point for corner, the beginning of a curve;

Thence, 357.36 feet along the arc of a tangent curve to the left, having a radius of 2050.00 feet, a central angle of $09^{\circ} 59' 16''$ and a chord which bears North $81^{\circ} 45' 48''$ East, 356.91 feet to a point for corner, the beginning of a reverse curve;

Thence, 41.23 feet along the arc of a tangent curve to the right, having a radius of 25.00 feet, a central angle of $94^{\circ} 29' 49''$ and a chord which bears South $55^{\circ} 58' 55''$ East, 36.72 feet to a point for corner, the beginning of a compound curve;

Thence, 79.81 feet along the arc of a tangent curve to the right, having a radius of 960.00 feet, a central angle of $04^{\circ} 45' 48''$ and a chord which bears South $06^{\circ} 21' 06''$ East, 79.79 feet to a point for corner;

Thence, South $03^{\circ} 58' 12''$ East, 761.87 feet to a point for corner, the beginning of a curve;

Thence, 460.06 feet along the arc of a tangent curve to the left, having a radius of 3040.00 feet, a central angle of $08^{\circ} 40' 15''$ and a chord which bears South $08^{\circ} 18' 20''$ East, 459.62 feet to a point for corner;

Thence, South $12^{\circ} 38' 27''$ East, 55.57 feet to a point for corner, the beginning of a curve;

Metes and Bounds:

47.079 acres

December 22, 2006
Job No. 1800-2018A

Thence, 54.79 feet along the arc of a tangent curve to the right, having a radius of 35.00 feet, a central angle of $89^{\circ} 41' 27''$ and a chord which bears South $32^{\circ} 12' 16''$ West, 49.36 feet to a point for corner;

Thence, South $77^{\circ} 02' 59''$ West, 366.93 feet to a point for corner, the beginning of a curve;

Thence, 211.51 feet along the arc of a tangent curve to the left, having a radius of 890.00 feet, a central angle of $13^{\circ} 36' 59''$ and a chord which bears South $70^{\circ} 14' 29''$ West, 211.01 feet to a point for corner;

Thence, South $63^{\circ} 26' 00''$ West, 100.00 feet to a point for corner, the beginning of a curve;

Thence, 179.64 feet along the arc of a tangent curve to the right, having a radius of 810.00 feet, a central angle of $12^{\circ} 42' 24''$ and a chord which bears South $69^{\circ} 47' 12''$ West, 179.27 feet to a point for corner, the beginning of a compound curve;

Thence, 144.57 feet along the arc of a tangent curve to the right, having a radius of 500.00 feet, a central angle of $16^{\circ} 33' 58''$ and a chord which bears South $84^{\circ} 25' 23''$ West, 144.06 feet to a point for corner;

Thence, North $87^{\circ} 17' 38''$ West, 154.12 feet to a point for corner, the beginning of a curve;

Thence, 69.91 feet along the arc of a tangent curve to the left, having a radius of 600.00 feet, a central angle of $06^{\circ} 40' 34''$ and a chord which bears South $89^{\circ} 22' 05''$ West, 69.87 feet to a point for corner;

Thence, South $86^{\circ} 01' 48''$ West, 94.63 feet to a point for corner, the beginning of a curve;

Metes and Bounds:

47.079 acres

December 22, 2006
Job No. 1800-2018A

Thence, 12.90 feet along the arc of a non-tangent curve to the left, having a radius of 1550.00 feet, a central angle of $00^{\circ} 28' 37''$ and a chord which bears South $86^{\circ} 37' 19''$ West, 12.90 feet to a point for corner, the beginning of a reverse curve;

Thence, 78.23 feet along the arc of a tangent curve to the right, having a radius of 50.00 feet, a central angle of $89^{\circ} 38' 47''$ and a chord which bears North $48^{\circ} 47' 36''$ West, 70.49 feet to the POINT OF BEGINNING and containing 47.079 acres of land.

LJA Engineering & Surveying, Inc.

Application:



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**CURRENT PLANNING DIVISION
CONDITIONAL USE PERMIT OR REZONING APPLICATION**

PLANNING

Please type or print the following information & Return your submittal to the Development Services Department (Current Planning Division), 2700 Town Center Blvd. North, Sugar Land, TX 77479, Attention: Gretchen Pyle

Applicant

Contact LJA Engineering & Surveying, Inc. Attention: Jason M. Kelly, P.E.
Address 2929 Briarpark Drive, Suite 600, Houston, TX 77042
Phone (713) 953-5064 **Fax** (713) 953-5026
Email jkelly@ljaengineering.com

Owner

Contact NNP-Telfair, LP Attention: Keith Behrens, P.E.
Address 10235 West Little York, Suite 300, Houston, TX 77040
Phone (713) 575-9000 **Fax** (713) 575-9001
Email kbehrens@newlandcommunities.com

Property Legal Description _____ **See Attached** X

Lot _____ **Block** _____ **Subdivision** Telfair Section 18

Current Zoning District Temporary R-1 **Proposed Zoning District, if applicable** R-1

If this is a CUP application: ☐ new building ☐ existing building

Proposed Use (CUP only) _____

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the undersigned is authorized to make this application. **This application expires six months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on this request.**

X

[Signature]
Signature of Applicant

12/20/06

Date

Submittal Requirements (Submittal Deadline is Monday at 3:00 p.m.):

- ☐ Three (3) copies of the completed application
- ☐ Check for \$1,000.00 (non-refundable) \$400 if CUP is in MUC District
- ☐ Metes and bounds of the site and county slide number of plat, if recorded
- ☐ Two (2) 24" x 36" blue-line copies and two (2) 11" x 17" copies of the CUP layout plan or the property to be rezoned, including a vicinity map and north arrow on each copy
- ☐ Two (2) copies of a letter stating the applicant's request and addressing issues relating to a CUP including traffic circulation, parking, plan of operation, and other pertinent information
- ☐ Names and mailing addresses of all property owners and tenants within 200 feet of site, including owner and applicant

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

Applicant Correspondence:

LJA Engineering & Surveying, Inc.



2929 Briarpark Drive Phone 713.953.5200
Suite 600 Fax 713.953.5026
Houston, Texas 77042-3703 www.ljaengineering.com

December 20, 2006

Ms. Gretchen Pyle
Development Review Coordinator
City of Sugar Land
2700 Town Center Blvd. North, Ste. 259
Sugar Land, TX 77479

RECEIVED

JAN 16 2007

PLANNING

Re: Rezoning Application
Telfair Section 18
Fort Bend County MUD No. 138
City of Sugar Land
Fort Bend County, Texas
LJA Job Nos. 1800-2018A (6.1)

Dear Ms. Pyle:

This letter is to request rezoning of NNP-Telfair, LP's Telfair Section 18 from Temporary R-1 to R-1.

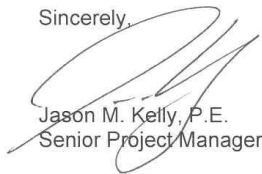
NNP-Telfair, LP is the current owner of all the property within the requested Rezone area and within 200-feet around the requested Rezone.

Owner
NNP-Telfair, LP
10235 West Little York, Suite 300
Houston, Texas 77040
Phone: 713.575.9000

Applicant
LJA Engineering & Surveying, Inc.
2929 Briarpark Drive, Suite 600
Houston, Texas 77042
Phone: 713.953.5200

Should you have any questions, please contact me at 713.953.5064.

Sincerely,



Jason M. Kelly, P.E.
Senior Project Manager

JMK/rca

Copy: Mr. Keith Behrens, P.E., NNP-Telfair, LP

O:\LAND\1800\2108A\rezoning ltr 122006.doc



NOTICE OF PUBLIC HEARING

REQUEST FOR PERMANENT ZONING OF APPROXIMATELY 47.079 ACRES KNOWN AS TELFAIR SECTION EIGHTEEN, LOCATED WITHIN TELFAIR DEVELOPMENT (TRACT 4), DIRECTLY NORTH OF TELFAIR SECTION 11 AND WEST OF DITCH H, TO STANDARD SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT.

PROPOSED PERMANENT ZONING OF APPROXIMATELY 47.079 ACRES OF LAND FROM INTERIM R-1 ZONING DISTRICT TO STANDARD SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT BEING 47.079 ACRES OF LAND LOCATED IN THE ALEXANDER HODGE LEAGUE, ABSTRACT 32, FORT BEND COUNTY, TEXAS, MORE PARTICULARLY BEING A PORTION OF CALLED 1651.239 ACRE TRACT CONVEYED TO NNP-KEEPSAKE, L.P., BY INSTRUMENT OF RECORD IN FILE NO. 2003149525, OFFICIAL PUBLIC RECORDS, OF FORT BEND COUNTY (F.B.C.O.P.R.), NOW KNOWN AS NNP-TELFAR LP, BY INSTRUMENT OF RECORD IN FILE NO. 2006007940, AND AS SHOWN ON THE ATTACHED MAP.

PURPOSE: One (1) public hearing shall be held at which all persons interested in the proposed Permanent Zoning shall be given an opportunity to be heard.

**WHERE: CITY OF SUGAR LAND CITY COUNCIL CHAMBER
CITY HALL
2700 TOWN CENTER BOULEVARD NORTH
SUGAR LAND, TEXAS**

**WHEN: CITY OF SUGAR LAND
CITY COUNCIL MEETING
6:00 P.M., APRIL 3, 2007**

DETAILS OF THE PROPOSED PERMANENT ZONING REQUEST MAY BE OBTAINED FROM THE PLANNING OFFICE, CITY HALL, CITY OF SUGAR LAND, 2700 TOWN CENTER BOULEVARD NORTH, SUGAR LAND, TEXAS, MONDAY THROUGH FRIDAY FROM 8:00 O'CLOCK A.M. TO 5:00 O'CLOCK P.M. OR YOU MAY CALL (281) 275-2218 FOR ADDITIONAL INFORMATION.